

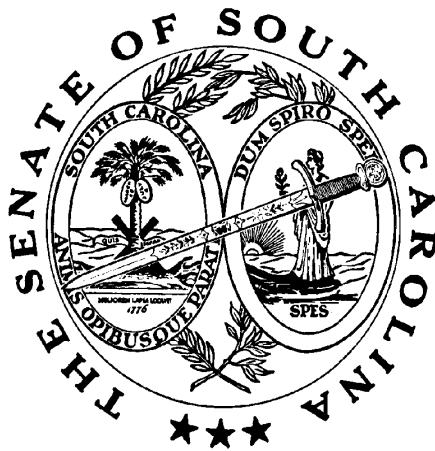
JOURNAL

OF THE

SENATE

OF THE

STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009

WEDNESDAY, FEBRUARY 11, 2009

Wednesday, February 11, 2009
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:45 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT *Pro Tempore*.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

As the prophet, Micah, so wonderfully phrases it:

“He has told you, O mortal, what is good; and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God.” (Micah 6:8)

Join your heart with mine as we pray:

Loving God, the poetry of Your holy texts speaks so powerfully even today. We indeed know intellectually what it is You require of us, O Lord. Yet living our lives in the ways You desire is not always as easily achieved as we ourselves might want. Forgive us for those occasions when we happen to disappoint You, and strengthen all of us to serve You wisely and well. Especially bless and guide these Senators as they strive to do what is right and to walk humbly with You. May they honor You, God, through their work for the good people of this State. In Your name we pray, dear Lord.

Amen.

RECESS

At 11:55 A.M., on motion of Senator L. MARTIN, the Senate recessed from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Judicial Elections

At Twelve O'clock Noon the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

H. 3225 -- Reps. Delleney, Clemmons and Mack: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 11, 2009, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUDGE OF THE COURT OF APPEALS, SEAT 5, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A

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SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIRST JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 5, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 6, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 7, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 8, WHOSE TERM EXPIRES JUNE 20, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 9, WHOSE

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TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 10, WHOSE TERM EXPIRES JUNE 30, 2009; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE TENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 4, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2010, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015.

Election to the Position of Judge, Court of Appeals, Seat #5

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat #5.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Kaye G. Hearn had been screened and found qualified to serve.

Senator McCONNELL placed the name of the Honorable Kaye G. Hearn in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Kaye G. Hearn had been elected to the position of Judge, Court of Appeals, Seat #5 for the term prescribed by law.

**Election to the Position of Judge, Circuit Court
Fifth Judicial Circuit, Seat #3**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, Fifth Judicial Circuit, Seat #3.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable G. Thomas Cooper, Jr. had been screened and found qualified to serve.

Senator McCONNELL placed the name of the Honorable G. Thomas Cooper, Jr. in nomination, moved that the nominations be closed and,

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with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable G. Thomas Cooper, Jr. had been elected to the position of Judge, Circuit Court, Fifth Judicial Circuit, Seat #3 for the term prescribed by law.

**Election to the Position of Judge, Circuit Court
Ninth Judicial Circuit, Seat #3**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, Ninth Judicial Circuit, Seat #3.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Roger M. Young, Sr. had been screened and found qualified to serve.

Senator McCONNELL placed the name of the Honorable Roger M. Young, Sr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Roger M. Young, Sr. had been elected to the position of Judge, Circuit Court, Ninth Judicial Circuit, Seat #3 for the term prescribed by law.

**Election to the Position of Judge, Circuit Court
Fourteenth Judicial Circuit, Seat #2**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, Fourteenth Judicial Circuit, Seat #2.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Carmen Tevis Mullen had been screened and found qualified to serve.

Senator McCONNELL placed the name of the Honorable Carmen Tevis Mullen in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Carmen Tevis Mullen had been elected to the position of Judge, Circuit Court, Fourteenth Judicial Circuit, Seat #2 for the term prescribed by law.

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**Election to the Position of Judge, Circuit Court
Fifteenth Judicial Circuit, Seat #2**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, Fifteenth Judicial Circuit, Seat #2.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Benjamin H. Culbertson had been screened and found qualified to serve.

Senator McCONNELL placed the name of the Honorable Benjamin H. Culbertson in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Benjamin H. Culbertson had been elected to the position of Judge, Circuit Court, Fifteenth Judicial Circuit, Seat #2 for the term prescribed by law.

**Election to the Position of Judge, Circuit Court
At-Large, Seat #2**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, At-Large, Seat #2.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Rupert Markley Dennis, Jr. had been screened and found qualified to serve.

Senator McCONNELL placed the name of the Honorable Rupert Markley Dennis, Jr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Rupert Markley Dennis, Jr. had been elected to the position of Judge, Circuit Court, At-Large, Seat #2 for the term prescribed by law.

**Election to the Position of Judge, Circuit Court
At-Large, Seat #3**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, At-Large, Seat #3.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Clifton Newman had been screened and found qualified to serve.

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Senator McCONNELL placed the name of the Honorable Clifton Newman in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Clifton Newman had been elected to the position of Judge, Circuit Court, At-Large, Seat #3 for the term prescribed by law.

**Election to the Position of Judge, Circuit Court
At-Large, Seat #4**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, At-Large, Seat #4.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Edward Walter Miller had been screened and found qualified to serve.

Senator McCONNELL placed the name of the Honorable Edward Walter Miller in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Edward Walter Miller had been elected to the position of Judge, Circuit Court, At-Large, Seat #4 for the term prescribed by law.

**Election to the Position of Judge, Circuit Court
At-Large, Seat #5**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, At-Large, Seat #5.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable J. Mark Hayes II had been screened and found qualified to serve.

Senator McCONNELL placed the name of the Honorable J. Mark Hayes II in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable J. Mark Hayes II had been elected to the position of Judge, Circuit Court, At-Large, Seat #5 for the term prescribed by law.

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Election to the Position of Judge, Circuit Court

At-Large, Seat #7

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, At-Large, Seat #7.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Jesse Cordell Maddox, Jr. had been screened and found qualified to serve.

Senator McCONNELL placed the name of the Honorable Jesse Cordell Maddox, Jr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Jesse Cordell Maddox, Jr. had been elected to the position of Judge, Circuit Court, At-Large, Seat #7 for the term prescribed by law.

Election to the Position of Judge, Circuit Court

At-Large, Seat #8 Carried Over

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, At-Large, Seat #8.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Kenneth G. Goode had been screened and found qualified to serve.

Senator McCONNELL placed the name of the Honorable Kenneth G. Goode in nomination.

Senator McCONNELL was recognized and addressed the members of the Joint Assembly.

On motion of Senator McCONNELL, the following letter from Judge Goode was published as follows:

State of South Carolina
The Circuit Court of the Sixth Judicial Circuit
Kenneth G. Goode, Judge
February 11, 2009

The Honorable Glenn McConnell
Chairman, Judicial Selection Committee

RE: Candidacy for Reelection to Judgeship

WEDNESDAY, FEBRUARY 11, 2009

Dear Senator McConnell:

I have read with concern the article in today's State newspaper concerning my candidacy for reelection. I understand the nature of the allegations which have been made. I further understand the allegations against me have arisen since the time of my judicial screening.

While I believe my decisions have been sound and appropriate in the cases reported on by the newspaper, I am also convinced it is totally unfair to the Legislature for me to ask to be voted upon with the allegations pending and with the allegations not having been fully reviewed by the screening committee.

As you are aware, judicial ethics prevent me from publicly responding to the allegations reported in the newspaper. I find myself in a situation where I cannot do anything to refute the allegations and where the Legislature is being asked to vote upon my candidacy in the face of allegations which have not been considered by the screening panel.

It is important to me that all of the facts be known before I am voted upon. I am convinced when the facts are reviewed my conduct will be found to have been appropriate in all of the cases reported upon in the newspaper.

The integrity of the judicial system demands that I not be voted upon at this time. The issues raised in my opinion go to the integrity of the process and are much greater than the issue of my personal candidacy.

In order that this matter be resolved in fairness to all concerned and in fairness to the Legislature, I ask that my candidacy be carried over and be resubmitted to the Judicial Screening Committee for full review. I look forward to this process to prove to the citizens of this great state that my judicial qualifications are beyond reproach.

/s/ Kenneth G. Goode

Senator FAIR moved that the election to fill the position of Judge, Circuit Court, At-Large, Seat 8 be carried over and the candidacy of Judge Goode be referred to the Judicial Merit Selection Commission.

The motion was adopted.

**Election to the Position of Judge, Circuit Court
At-Large, Seat #9**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, At-Large, Seat #9.

Senator McCONNELL, Chairman of the Judicial Merit Selection

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Commission, indicated that the Honorable J. Michelle Childs had been screened and found qualified to serve.

Senator McCONNELL placed the name of the Honorable J. Michelle Childs in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable J. Michelle Childs had been elected to the position of Judge, Circuit Court, At-Large, Seat #9 for the term prescribed by law.

Election to the Position of Judge, Circuit Court At-Large, Seat #10

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, At-Large, Seat #10.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable James Reznor Barber III had been screened and found qualified to serve.

Senator McCONNELL placed the name of the Honorable James Reznor Barber III in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable James Reznor Barber III had been elected to the position of Judge, Circuit Court, At-Large, Seat #10 for the term prescribed by law.

Election to the Position of Judge, Circuit Court First Judicial Circuit, Seat #1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, First Judicial Circuit, Seat #1.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that Jeffrey P. Bloom, Edgar Warren Dickson and James Benjamin Jackson had been screened and found qualified to serve.

On motion of Senator McCONNELL, the names of James Benjamin Jackson and Jeffrey P. Bloom were withdrawn from consideration.

Senator McCONNELL placed the name of the Honorable Edgar Warren Dickson in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

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Whereupon, the PRESIDENT announced that the Honorable Edgar Warren Dickson had been elected to the position of Judge, First Judicial Circuit, Seat #1 for the term prescribed by law.

**Election to the Position of Judge, Circuit Court
Eighth Judicial Circuit, Seat #2**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, Eighth Judicial Circuit, Seat #2.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Frank R. Addy, Jr., Eugene C. Griffith, Jr. and Joseph C. Smithdeal had been screened and found qualified to serve.

On motion of Senator McCONNELL, the names of Joseph C. Smithdeal and the Honorable Frank R. Addy, Jr. were withdrawn from consideration.

Senator McCONNELL placed the name of Eugene C. Griffith, Jr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Eugene C. Griffith, Jr. had been elected to the position of Judge, Circuit Court, Eighth Judicial Circuit, Seat #2 for the term prescribed by law.

**Election to the Position of Judge, Circuit Court
At-Large, Seat #1**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, At-Large, Seat #1.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that David Craig Brown, Andrew Michael Hodges and William Jeffrey Young had been screened and found qualified to serve.

On motion of Senator McCONNELL, the names of Andrew Michael Hodges and David Craig Brown were withdrawn from consideration.

Senator McCONNELL placed the name of William Jeffrey Young in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

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Whereupon, the PRESIDENT announced that the Honorable William Jeffrey Young had been elected to the position of Judge, Circuit Court, At-Large, Seat #1 for the term prescribed by law.

**Election to the Position of Judge, Circuit Court
At-Large, Seat #6**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, At-Large, Seat #6.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that Daniel Dewitt Hall, William Henry Seals, Jr. and Sarah Elizabeth Wetmore had been screened and found qualified to serve.

On motion of Senator McCONNELL, the name of Daniel Dewitt Hall was withdrawn from consideration.

Senator McCONNELL placed the names of William Henry Seals, Jr. and Sarah Elizabeth Wetmore in nomination and moved that the nominations be closed.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Mr. Seals:

| | | |
|-------------------|---------|-------------------|
| Alexander | Bright | Bryant |
| Cleary | Courson | Cromer |
| Davis | Elliott | Fair |
| Jackson | Land | Leatherman |
| Lourie | Malloy | <i>Martin, L.</i> |
| <i>Martin, S.</i> | McGill | Mulvaney |
| Nicholson | O'Dell | Peeler |
| Pinckney | Rankin | Reese |
| Rose | Scott | Sheheen |
| Shoopman | Thomas | Verdin |
| Williams | | |

Total--31

The following named Senators voted for Ms. Wetmore:

| | | |
|----------|----------|---------|
| Anderson | Campbell | Campsen |
| Coleman | Ford | Grooms |
| Hayes | Hutto | Knotts |

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| | | |
|----------|---------|-----------|
| Leventis | Massey | McConnell |
| Ryberg | Setzler | |

Total--14

On motion of Representative J. H. Neal, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Mr. Seals:

| | | |
|-------------|-------------|-------------|
| Alexander | Allen | Anderson |
| Anthony | Bales | Barfield |
| Battle | Bedingfield | Bowers |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | Cato | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Crawford | Delleney | Dillard |
| Gambrell | Govan | Haley |
| Hardwick | Harvin | Hayes |
| Hearn | Hiott | Howard |
| Jefferson | Jennings | Kirsh |
| Littlejohn | Lowe | Lucas |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Pinson | Sandifer | G. R. Smith |
| J. R. Smith | Vick | White |
| Williams | | |

Total--52

The following named Representatives voted for Ms. Wetmore:

| | | |
|-------------|-------------|------------|
| Agnew | Allison | Ballentine |
| Bannister | Bingham | Bowen |
| Brady | R. L. Brown | Chalk |
| Cooper | Daning | Duncan |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gilliard |
| Gullick | Gunn | Hamilton |
| Harrell | Harrison | Hart |
| Herbkersman | Hodges | Horne |

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| | | |
|-------------|-------------|-------------|
| Hosey | Huggins | Hutto |
| Kelly | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Mack | Merrill |
| Millwood | Moss | Nanney |
| Parker | E. H. Pitts | M. A. Pitts |
| Rice | Rutherford | Scott |
| Sellers | Simrill | Skelton |
| D. C. Smith | G. M. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Umphlett | Viers |
| Weeks | Whipper | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young | | |

Total--67

RECAPITULATION

| | |
|---|------------|
| Total number of Senators voting | 45 |
| Total number of Representatives voting..... | <u>119</u> |
| Grand Total..... | 164 |
| Necessary to a choice | 83 |
| Of which Mr. Seals received | 83 |
| Of which Ms. Wetmore received..... | 81 |

Whereupon, the PRESIDENT announced that the Honorable William Henry Seals, Jr. had been elected to the position of Judge, Circuit Court, At-Large, Seat #6 for the term prescribed by law.

**Election to the Position of Judge, Family Court
Tenth Judicial Circuit, Seat #1**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, Tenth Judicial Circuit, Seat #1.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that Edgar Henderson Long, Jr., M. Scott McElhannon and David Earl Phillips had been screened and found qualified to serve.

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On motion of Senator McCONNELL, the names of M. Scott McElhannon and David Earl Phillips were withdrawn from consideration.

Senator McCONNELL placed the name of Edgar Henderson Long, Jr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Edgar Henderson Long, Jr. had been elected to the position of Judge, Circuit Court, Tenth Judicial Circuit, Seat #1 for the term prescribed by law.

Election to the Position of Judge, Family Court Thirteenth Judicial Circuit, Seat #6

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, Thirteenth Judicial Circuit, Seat #6.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that Catherine C. Christophillis, Alex Kinlaw, Jr. and William Marsh Robertson had been screened and found qualified to serve.

On motion of Senator McCONNELL, the names of Catherine C. Christophillis and William Marsh Robertson were withdrawn from consideration.

Senator McCONNELL placed the name of Judge Alex Kinlaw, Jr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Alex Kinlaw, Jr. had been elected to the position of Judge, Family Court, Thirteenth Judicial Circuit, Seat #6 for the term prescribed by law.

Election to the Position of Judge, Administrative Law Court Seat #4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Administrative Law Court, Seat #4.

Senator McCONNELL, Chairman of the Judicial Merit Selection Commission, indicated that Deborah Brooks Durden, Carol Ann Isaac McMahan and Shirley Canty Robinson had been screened and found qualified to serve.

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On motion of Senator McCONNELL, the names of Carol Ann Isaac McMahan and Shirley Canty Robinson were withdrawn from consideration.

Senator McCONNELL placed the name of Deborah Brooks Durden in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Deborah Brooks Durden had been elected to the position of Judge, Administrative Law Court, Seat #4 for the term prescribed by law.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

RECESS

At 12:35 P.M., on motion of Senator McCONNELL, the Senate recessed from business until 2:00 P.M.

AFTERNOON SESSION

The Senate reassembled at 2:05 P.M. and was called to order by the PRESIDENT.

Point of Quorum

At 2:07 P.M., Senator L. MARTIN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator McCONNELL moved that a Call of the Senate be made. The following Senators answered the Call:

| | | |
|-------------------|-------------------|------------|
| Alexander | Anderson | Bright |
| Bryant | Campbell | Campsen |
| Cleary | Coleman | Courson |
| Cromer | Davis | Elliott |
| Fair | Ford | Grooms |
| Hayes | Hutto | Jackson |
| Knotts | Land | Leatherman |
| Leventis | Lourie | Malloy |
| <i>Martin, L.</i> | <i>Martin, S.</i> | Massey |
| McConnell | McGill | Mulvaney |

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| | | |
|-----------|---------|----------|
| Nicholson | O'Dell | Peeler |
| Pinckney | Rankin | Reese |
| Rose | Ryberg | Scott |
| Setzler | Sheheen | Shoopman |
| Thomas | Verdin | Williams |

A quorum being present, the Senate resumed.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Mark C. Sanford:

Local Appointment

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2007, and to expire April 30, 2011

Sheryl Mitchell Perry, 5711 Dixie Plantation, Hollywood, SC 29449
VICE Patricia Dixon

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 3204

Agency: Department of Consumer Affairs

SUBJECT: Licensing Standards for Continuing Care Retirement Communities

Received by Lieutenant Governor April 25, 2008

Referred to Medical Affairs Committee

Legislative Review Expiration April 1, 2009

Revised: March 12, 2009

Withdrawn and Resubmitted February 10, 2009

Doctor of the Day

Senator MALLOY introduced Dr. Leon Hunt of Bishopville, S.C., Doctor of the Day.

Leave of Absence

At 2:40 P.M., Senator SHANE MARTIN requested a leave of absence for Thursday, February 12, 2009 for business reasons.

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Leave of Absence

On motion of Senator JACKSON, at 4:10 P.M., Senator MATTHEWS was granted a leave of absence for the balance of the week.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:
S. 248 Sen. Williams

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 399 -- Senator Fair: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE CAROLYN TALLEY PORTER ON THE OCCASION OF HER RETIREMENT AFTER A VERY DISTINGUISHED CAREER.

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The Senate Resolution was adopted.

S. 400 -- Senator Coleman: A SENATE RESOLUTION CONGRATULATING TYLER THIGPEN, THE FIRST QUARTERBACK TO PLAY FOR THE COASTAL CAROLINA UNIVERSITY FOOTBALL TEAM, FOR HIS SUPERIOR CONTRIBUTION TO THAT TEAM, AND ON BECOMING A MEMBER OF THE KANSAS CITY CHIEFS OF THE NATIONAL FOOTBALL LEAGUE, AND GRANTING HIM BEST WISHES FOR EMINENT SUCCESS AND AN EXTENDED CAREER IN PROFESSIONAL FOOTBALL.

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The Senate Resolution was adopted.

S. 401 -- Senator Peeler: A SENATE RESOLUTION JOINING PEOPLE FROM ACROSS THE NATION IN EXPRESSING THE COLLECTIVE JOY OF THE STATE OF SOUTH CAROLINA UPON THE SUCCESSFUL EMERGENCY LANDING OF U.S. AIRWAYS FLIGHT 1549 IN THE HUDSON RIVER ON JANUARY 15, 2009.

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The Senate Resolution was adopted.

WEDNESDAY, FEBRUARY 11, 2009

S. 402 -- Senator Pinckney: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SENATE UPON THE DEATH OF DR. J. M. BENNETT, JR. OF RIDGELAND AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 403 -- Senators Leatherman and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE AT ASHBY ROAD AND McIVER ROAD IN THE TOWN OF QUINBY AS "T. ASHBY GREGG, SR. INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS "T. ASHBY GREGG, SR. INTERCHANGE."

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 404 -- Senator Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-112-150 SO AS TO PROVIDE THAT A PUBLIC INSTITUTION OF HIGHER LEARNING MUST PROVIDE FREE TUITION TO TEACHERS AND ADMINISTRATORS EMPLOYED BY SCHOOL DISTRICTS IN THIS STATE IN ORDER THAT THEY MAY PURSUE GRADUATE DEGREES IN THE FIELDS OF EDUCATION AND SCHOOL ADMINISTRATION, AND TO DEFINE CERTAIN TERMS.

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Read the first time and referred to the Committee on Education.

S. 405 -- Senator Cleary: A BILL TO AMEND SECTION 12-37-220 OF THE 1976 CODE, RELATING TO PROPERTY TAX EXEMPTIONS, TO CLARIFY THAT A WATERCRAFT AND ITS MOTOR MAY NOT RECEIVE A FORTY-TWO AND 75/100 PERCENT EXEMPTION IF THE BOAT OR WATERCRAFT IS CLASSIFIED AS A PRIMARY OR SECONDARY RESIDENCE FOR PROPERTY TAX PURPOSES; TO AMEND SECTION 12-37-224, RELATING TO BOATS AS A PRIMARY OR SECONDARY

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RESIDENCE, TO PROVIDE THAT A BOAT OR WATERCRAFT THAT CONTAINS A COOKING AREA WITH AN ONBOARD POWER SOURCE, A TOILET WITH EXTERIOR EVACUATION, AND A SLEEPING QUARTER, SHALL BE CONSIDERED A PRIMARY OR SECONDARY RESIDENCE FOR PURPOSES OF AD VALOREM PROPERTY TAXATION IN THIS STATE; AND TO AMEND SECTION 12-37-714, RELATING TO BOATS WITH A SITUS IN THIS STATE, TO PROVIDE THAT UPON AN ORDINANCE PASSED BY THE LOCAL GOVERNING BODY, A COUNTY MAY SUBJECT A BOAT, INCLUDING ITS MOTOR IF THE MOTOR IS SEPARATELY TAXED, TO PROPERTY TAX IF IT IS WITHIN THIS STATE FOR NINETY DAYS IN THE AGGREGATE, REGARDLESS OF THE NUMBER OF CONSECUTIVE DAYS.

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Read the first time and referred to the Committee on Finance.

S. 406 -- Senator Grooms: A BILL TO AMEND SECTION 40-60-35 OF THE 1976 CODE, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR ASSESSORS, TO REDUCE THE NUMBER OF HOURS OF INSTRUCTION EACH YEAR FOR ASSESSORS WITH AN ACTIVE LICENSE OR CERTIFICATION FROM NINE HOURS TO SEVEN HOURS, AND TO MAKE TECHNICAL CHANGES.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 407 -- Senators Hayes and Cleary: A BILL TO AMEND ARTICLE 1, CHAPTER 43, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DONATION OF HUMAN BODIES, PARTS OF THE HUMAN BODY AND HUMAN TISSUE, SO AS TO CONFORM CROSS REFERENCES TO THE REVISED UNIFORM ANATOMICAL GIFT ACT, TO DELETE THE PROVISION STATING THAT A DONOR DESIGNATION ON A DRIVER'S LICENSE DOES NOT CONSTITUTE A GIFT UNDER THE UNIFORM ANATOMICAL GIFT ACT; TO AMEND ARTICLE 5, CHAPTER 43, TITLE 44, RELATING TO THE UNIFORM ANATOMICAL GIFT ACT, SO AS TO CHANGE THE ACT NAME TO THE REVISED UNIFORM ANATOMICAL GIFT ACT, AND,

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AMONG OTHER THINGS, TO REVISE DEFINITIONS, DONOR ELIGIBILITY, DONATION AMENDMENT AND REVOCATION PROCEDURES, THE PRIORITY ORDER TO GIVE CONSENT, SUBSTITUTE DONOR PROCEDURES, DONEE QUALIFICATIONS, AND ALTERNATIVE DONEE PROCEDURES; TO ESTABLISH PROCEDURES FOR REFUSAL TO MAKE AN ANATOMICAL GIFT; TO REQUIRE CERTAIN LAW ENFORCEMENT, HOSPITAL PERSONNEL, AND ORGAN PROCUREMENT ORGANIZATIONS TO MAKE REASONABLE SEARCHES FOR DONOR INFORMATION AND DONOR REFUSAL INFORMATION; TO PROVIDE THAT A PHYSICIAN WHO ATTENDED A PERSON AT DEATH OR WHO DETERMINES THE TIME OF DEATH MAY NOT PARTICIPATE IN REMOVAL OR TRANSPLANTATION PROCEDURES; TO ESTABLISH CRIMINAL PENALTIES FOR SELLING OR PURCHASING ORGANS AND FOR OBTAINING FINANCIAL GAIN BY FALSIFYING OR DEFACING A DONATION DOCUMENT; TO ESTABLISH CRITERIA FOR THE VALIDITY OF AN ORGAN DONATION; TO ESTABLISH PROCEDURES TO RESOLVE ISSUES WHEN CERTAIN CONFLICTS EXIST BETWEEN A DECLARATION OF A ORGAN DONATION AND THE MEDICAL SUITABILITY OF THE ORGAN DONATION; TO REQUIRE CORONERS TO COOPERATE WITH PROCUREMENT ORGANIZATIONS TO MAXIMIZE THE OPPORTUNITY TO RECOVER ANATOMICAL GIFTS; AND TO AMEND ARTICLE 11, CHAPTER 43, TITLE 44, RELATING TO HOSPITAL POLICY AND PROTOCOL FOR ORGAN AND TISSUE DONATION, SO AS TO REVISE DEFINITIONS AND PROCEDURES FOR CONTACTING PERSONS AUTHORIZED TO CONSENT TO ORGAN DONATION.

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Read the first time and referred to the Committee on Medical Affairs.

S. 408 -- Senators Jackson, Anderson, Nicholson and Lourie: A BILL TO AMEND SECTION 56-15-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ACTS THAT ARE DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A DEALER TO OFFER FOR SALE,

[SJ]

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ADVERTISE FOR SALE, OR TRANSFER THE TITLE OF A VEHICLE WITH A BALANCE DUE TO A SECURED PARTY BEFORE PAYING OFF THE ENTIRE BALANCE AND SUBMITTING A NOTARIZED RECEIPT TO THE DEPARTMENT OF MOTOR VEHICLES; AND TO AMEND SECTION 56-15-320, AS AMENDED, RELATING TO THE APPLICATION FOR A LICENSE TO BECOME A MOTOR VEHICLE WHOLESALER OR DEALER, SO AS TO INCREASE THE AMOUNT OF THE SURETY BOND AN APPLICANT SHALL FURNISH TO THE DEPARTMENT OF MOTOR VEHICLES.

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Read the first time and referred to the Committee on Transportation.

S. 409 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY, STATE CROP PEST COMMISSION, RELATING TO DESIGNATION OF ASIAN CITRUS PYSLLID AS PLANT PEST AND QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4039, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 410 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY, STATE CROP PEST COMMISSION, RELATING TO PLUM POX VIRUS QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4001, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 411 -- Senators Thomas and Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 22, TITLE 17 SO AS TO ENACT THE "UNIFORM EXPUNGEMENT OF CRIMINAL RECORDS ACT", TO PROVIDE A PROCEDURE WHICH MUST BE FOLLOWED

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REGARDING APPLICATIONS FOR EXPUNGEMENT OF ALL CRIMINAL RECORDS, AND TO AUTHORIZE EACH SOLICITOR'S OFFICE IN THE STATE TO ADMINISTER THE PROCEDURE; TO AMEND SECTION 17-1-40, AS AMENDED, RELATING TO THE DESTRUCTION OF THE RECORDS OF CRIMINAL CHARGES THAT HAVE BEEN DISMISSED, SO AS TO PROVIDE THAT A PERSON WHO RETAINS CERTAIN TERMS CONTAINED IN A RECORD OF A CHARGE THAT HAS BEEN DISCHARGED OR DISMISSED IS IN CONTEMPT OF COURT; TO AUTHORIZE THE CODE COMMISSIONER TO CHANGE CERTAIN REFERENCES; BY ADDING SECTION 17-1-45 SO AS TO PROVIDE THAT THE SOUTH CAROLINA COURT ADMINISTRATION SHALL INCLUDE ON ALL BOND PAPERWORK AND COURTESY SUMMONS A NOTICE THAT INFORMS A PERSON OF HIS RIGHT TO FILE AN APPLICATION TO HAVE A RECORD EXPUNGED; TO AMEND SECTION 22-5-920, RELATING TO A PERSON CONVICTED AS A YOUTHFUL OFFENDER, SO AS TO REVISE THE PERIOD OF TIME A PERSON CONVICTED AS A YOUTHFUL OFFENDER MUST WAIT BEFORE HE MAY APPLY TO HAVE HIS CRIMINAL RECORD EXPUNGED; TO AMEND SECTION 44-53-450, RELATING TO THE CONDITIONAL DISCHARGE OF A CONVICTION FOR CERTAIN ILLEGAL DRUG OFFENSES, SO AS TO REVISE THE AGE OF A PERSON WHO IS SUBJECT TO THE PROVISIONS OF THIS SECTION.

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Read the first time and referred to the Committee on Judiciary.

S. 412 -- Senator Thomas: A BILL TO AMEND SECTION 56-19-290 OF THE 1976 CODE, RELATING TO THE CONTENTS OF A CERTIFICATE OF TITLE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE THAT THE TITLE AND BILL OF SALE FOR A MOBILE HOME MUST CONTAIN A STATEMENT ADVISING A PURCHASER OF A MOBILE HOME TO CONSULT WITH THE COUNTY ASSESSOR'S OFFICE TO DETERMINE IF THERE ARE BACK TAXES DUE ON THE MOBILE HOME, AND THE SELLER MUST CERTIFY, UNDER PENALTY OF PERJURY, THAT HE HAS MADE THE PURCHASER AWARE OF ANY TAXES THAT ARE DUE ON THE MOBILE HOME; AND TO AMEND CHAPTER 45, TITLE 12,

[SJ]

WEDNESDAY, FEBRUARY 11, 2009

RELATING TO THE COLLECTION OF TAXES, BY ADDING SECTION 12-45-440, TO PROVIDE THAT THE GOVERNING BODY OF A COUNTY BY RESOLUTION MAY WAIVE BACK TAXES DUE ON A MOBILE HOME, INCLUDING LATE PAYMENT PENALTIES, FOR PROPERTY TAX YEARS BEGINNING AFTER 2009.

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Read the first time and referred to the Committee on Finance.

S. 413 -- Senator Thomas: A BILL TO AMEND SECTION 12-28-2920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONSTRUCTION OF TOLL ROADS, SO AS TO REVISE THE METHOD OF DISBURSAL OF FUNDS DERIVED FROM TOLLS, TO PROVIDE FOR THE DISBURSAL OF FUNDS DERIVED FROM QUALIFIED TOLL PROJECTS, TO PROVIDE WHEN TOLLS COLLECTED FROM QUALIFIED TOLL PROJECTS SHALL CEASE, AND TO DEFINE THE TERM "QUALIFIED TOLL PROJECT"; AND TO AMEND SECTION 57-3-200, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S AUTHORITY TO ENTER INTO AGREEMENTS TO FINANCE, CONSTRUCT, AND MAINTAIN HIGHWAYS, ROADS, STREETS, AND BRIDGES, SO AS TO PROVIDE GUIDELINES FOR THE DEPARTMENT'S EXPENDITURE OF FUNDS ON QUALIFIED TOLL PROJECTS AND THE SETTING OF TOLLS ALONG TRANSPORTATION FACILITIES.

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Read the first time and referred to the Committee on Transportation.

S. 414 -- Senator Lourie: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE CARDINAL NEWMAN SCHOOL CHEERLEADING TEAM FOR ITS OUTSTANDING SEASON AND FOR CAPTURING THE 2008 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS AAA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM'S EXCEPTIONAL CHEERLEADERS, COACHES, AND STAFF.

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The Senate Resolution was adopted.

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H. 3338 -- Reps. King and Simrill: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 5 IN YORK COUNTY FROM ITS INTERSECTION WITH CHERRY ROAD TO ITS INTERSECTION WITH HECKLE BOULEVARD "JUANITA GOGGINS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "JUANITA GOGGINS HIGHWAY".

On motion of Senator HAYES, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

H. 3349 -- Reps. Barfield, Hearn, Viers and Hardwick: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 501 IN HORRY COUNTY THAT RUNS THROUGH THE TOWN OF AYNOR THE "W. G. HUCKS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "W. G. HUCKS HIGHWAY".

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3361 -- Rep. H. B. Brown: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 34 IN FAIRFIELD COUNTY ALONG INTERSTATE HIGHWAY 77 THE "SENATOR JOHN A. MARTIN INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS "SENATOR JOHN A. MARTIN INTERCHANGE".

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3364 -- Reps. Merrill, Umphlett and Viers: A CONCURRENT RESOLUTION TO MEMORIALIZE BOTH THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO REFRAIN FROM LOCATING OR RELOCATING IN SOUTH CAROLINA INDIVIDUALS WHOM THE FEDERAL GOVERNMENT HAS

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CLASSIFIED AS "ENEMY COMBATANTS" OR OTHER SIMILAR TERM USED TO DESCRIBE A FOREIGN NATIONAL WHO IS SUSPECTED OF COMMITTING, CONSPIRING TO COMMIT, OR ATTEMPTING TO COMMIT AN ACT OF TERROR ON UNITED STATES SOIL OR ABROAD.

The Concurrent Resolution was introduced and referred to the General Committee.

H. 3473 -- Rep. Anthony: A CONCURRENT RESOLUTION TO CONGRATULATE THE UNION COUNTY CARNEGIE LIBRARY FOR BEING SELECTED THE LIBRARY JOURNAL BEST SMALL LIBRARY IN AMERICA 2009.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 3474 -- Reps. Harrison, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO INVITE THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT, THE HONORABLE JEAN HOEFER TOAL, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION ON THE STATE OF THE JUDICIARY AT 12:00 NOON ON WEDNESDAY, FEBRUARY 25, 2009.

WEDNESDAY, FEBRUARY 11, 2009

On motion of Senator McCONNELL, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

H. 3477 -- Reps. Neilson, Williams and Lucas: A CONCURRENT RESOLUTION TO RECOGNIZE AND CONGRATULATE THE DARLINGTON HIGH SCHOOL "LADY FALCONS" SOFTBALL TEAM, OF DARLINGTON COUNTY, ON ITS OUTSTANDING SEASON AND IMPRESSIVE WIN OF THE 2008 CLASS AAA STATE CHAMPIONSHIP TITLE.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator MASSEY from the Committee on Judiciary submitted a favorable with amendment report on:

S. 21 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 47 TO TITLE 15 SO AS TO ENACT THE "UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT", TO PROVIDE AN EFFICIENT AND INEXPENSIVE PROCEDURE FOR LITIGANTS TO DEPOSE OUT-OF-STATE INDIVIDUALS AND FOR THE PRODUCTION OF DISCOVERABLE MATERIALS THAT MAY BE LOCATED OUT OF STATE.

Ordered for consideration tomorrow.

Senator CLEARY from the Committee on Judiciary submitted a favorable report on:

S. 268 -- Senator McConnell: A BILL TO AMEND CHAPTER 8, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUILDING CODES ENFORCEMENT OFFICERS, SO AS TO ESTABLISH A "SPECIAL INSPECTOR" OR "SPECIAL INSPECTION AGENCY" TO PERFORM BUILDING INSPECTIONS IN ONE OR MORE CONSTRUCTION TRADE DISCIPLINES, AND TO PROVIDE THE LICENSING PROCEDURE TO REQUIRE AUTHORIZATION FOR PERFORMING THESE INSPECTIONS FROM THE SOUTH CAROLINA BUILDING CODES COUNCIL AND THE DEPARTMENT OF LABOR, LICENSING AND REGULATION.

Ordered for consideration tomorrow.

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Invitations Accepted

Senator KNOTTS from the Committee on Invitations polled the following invitations with a favorable report. The polling sheet below reflects how each member of the Invitations Committee voted in favor of the entire list of invitations.

**Poll of the Invitations Committee
Polled 11; Ayes 11; Nays 0; Not Voting 0**

AYES

| | | |
|--------|-----------|---------|
| Knotts | Alexander | McGill |
| Reese | O'Dell | Elliott |
| Ford | Verdin | Campsen |
| Cromer | Malloy | |

Total--11

NAYS

Total--0

Wednesday, March 4, 2009, 12:00 – 2:00 p.m.

Members of the Senate, clerks and attaches, Luncheon, State House Grounds, by NATIONAL KIDNEY FOUNDATION OF SOUTH CAROLINA

Wednesday, March 4, 2009, 6:00 – 8:30 p.m.

Members of the Senate, Reception, Seawell's Restaurant, by SOUTH CAROLINA SUMMARY COURT JUDGES ASSOCIATION

Thursday, March 5, 2009, 8:00 – 10:00 a.m.

Members of the Senate, clerks and attaches, Breakfast, Blatt Room 112, by SOUTH CAROLINA COALITION AGAINST DOMESTIC VIOLENCE AND SEXUAL ASSUALT

Tuesday, March 10, 2009, 11:30 a.m. – 2:00 p.m.

Members of the Senate, clerks and attaches, "Jasper on the Move" Luncheon, State House Grounds, by JASPER CHAMBER OF COMMERCE

WEDNESDAY, FEBRUARY 11, 2009

Tuesday, March 10, 2009, 6:30 p.m.

Members of the Senate, 39th Annual Bird Supper, Marriott Hotel, by
HOMEBUILDERS ASSOCIATION OF SOUTH CAROLINA

Wednesday, March 11, 2009, 8:00 – 10:00 a.m.

Members of the Senate, Breakfast, Blatt Room 112, by the
FOUNDATION FOR THE SOUTH CAROLINA COMMISSION FOR
THE BLIND

Wednesday, March 11, 2009, 6:00 – 8:00 p.m.

Members of the Senate, clerks and attaches, Reception,
City Art Gallery, 1224 Lincoln Street, by GREATER SUMTER
CHAMBER OF COMMERCE

Wednesday, March 11, 2009, 7:00 – 9:00 p.m.

Members of the Senate, 17th Annual Townes Award Dinner, Marriott
Hotel, by SOUTH CAROLINA GOVERNOR'S SCHOOL FOR
SCIENCE AND MATHEMATICS

Tuesday, March 24, 2009, 6:00 – 8:00 p.m.

Members of the Senate, clerks and attaches,
7th Annual Florence County Legislative Day Reception, Columbia
Museum of Art, by FLORENCE COUNTY ECONOMIC
DEVELOPMENT PARTNERSHIP AND GREATER FLORENCE
CHAMBER OF COMMERCE

Wednesday, March 25, 2009, 7:30 a.m.

Members of the Senate, South Carolina Prayer Breakfast,
Radisson Hotel and Conference Center, by the SOUTH CAROLINA
PRAYER FELLOWSHIP

Wednesday, March 25, 2009, 12:00 - 2:00 p.m.

Members of the Senate, clerks and attaches, Luncheon, State House
Grounds, by UNITED WAY ASSOCIATION OF SOUTH
CAROLINA

Wednesday, March 25, 2009, 6:00 – 7:30 p.m.

Members of the Senate, clerks and attaches, Reception, Saki Tumi Grill
and Sushi Bar, by SAKITUMI, LLC

WEDNESDAY, FEBRUARY 11, 2009

Wednesday, March 25, 2009, 7:00 – 9:00 p.m.

Members of the Senate, clerks and attaches, 5th Annual Statewide Rally and Barbeque, “The Coop”, 1100 Key Road MECHANICAL CONTRACTORS ASSOCIATION OF SOUTH CAROLINA

Thursday, March 25, 2009, 8:00 – 10:00 a.m.

Members of the Senate, Breakfast, Blatt Room 112, by SOUTH CAROLINA BROADCASTERS ASSOCIATION

Tuesday, March 31, 2009, 1:00 – 2:00 p.m.

Members of the Senate, clerks and attaches, State Farm Day at the Capitol Luncheon, State House Grounds, by STATE FARM INSURANCE COMPANIES

Tuesday, March 31, 2009, 6:00 – 8:00 p.m.

Members of the Senate, clerks and attaches, Reception, Clarion Town House Hotel, by COLLEGE OF CHARLESTON BOARD OF TRUSTEES

Tuesday, March 31, 2009, 7:00 – 9:00 p.m.

Members of the Senate, clerks and attaches, York County Day Reception, Clarion Town House Hotel, by YORK COUNTY REGIONAL CHAMBER OF COMMERCE

HOUSE CONCURRENCES

S. 274 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN DILLON COUNTY FROM ITS INTERSECTION WITH HIGHWAY 57 TO 2725 HIGHWAY 9 WEST AS THE “REVEREND RICHARD ‘DICK’ ALDERMAN HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “REVEREND RICHARD ‘DICK’ ALDERMAN HIGHWAY”.

Returned with concurrence.

Received as information.

S. 393 -- Senator Knotts: A CONCURRENT RESOLUTION TO CONGRATULATE VICTORIE HANSEN, KARI PAIT, AND HEATHER REDD, OF GASTON GIRL SCOUT TROOP 3285, FOR

WEDNESDAY, FEBRUARY 11, 2009

ACHIEVING THE GIRL SCOUT GOLD AWARD, TO COMMEND THEM FOR THEIR HARD WORK AND DETERMINATION IN REACHING THIS GOAL, AND TO THANK THEM FOR THEIR LABORS IN CONSTRUCTING A NEW WELCOME SIGN FOR THE TOWN OF GASTON.

Returned with concurrence.

Received as information.

S. 394 -- Senator Knotts: A CONCURRENT RESOLUTION TO CONGRATULATE BUNYAN M. CAVE, PROGRAM MANAGER OF THE SOUTH CAROLINA BUDGET & CONTROL BOARD'S DIVISION OF STATE INFORMATION TECHNOLOGY, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR THIRTY YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO EXTEND BEST WISHES FOR MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ORDERED ENROLLED FOR RATIFICATION

The following Joint Resolution was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3353 -- Rep. Harrison: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUME 21 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2009.

THIRD READING BILLS

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 327 -- Senator Pinckney: A BILL TO AUTHORIZE THE BOARD OF EDUCATION FOR THE JASPER COUNTY SCHOOL

WEDNESDAY, FEBRUARY 11, 2009

DISTRICT TO IMPOSE AN IMPACT FEE ON ANY DEVELOPER FOR EACH NEW RESIDENTIAL DWELLING UNIT CONSTRUCTED BY THE DEVELOPER WITHIN THE SCHOOL DISTRICT, TO PROVIDE THAT THE FUNDS MAY ONLY BE USED FOR THE CONSTRUCTION OF PUBLIC EDUCATION FACILITIES FOR GRADES K-12 WITHIN THE DISTRICT AND FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON EXISTING OR NEW BONDS ISSUED BY THE DISTRICT, AND TO PROVIDE THAT THE IMPACT FEE SHALL BE SET AT AN AMOUNT NOT TO EXCEED THE COST THAT EACH ADDITIONAL DWELLING UNIT IMPOSES ON THE SCHOOL DISTRICT FOR PUBLIC EDUCATION FACILITIES.

S. 13 -- Senators Leatherman, Elliott and Campbell: A BILL TO AMEND SECTION 56-3-910 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE FEES, TO PROVIDE THAT FEES BE PLACED IN THE STATE HIGHWAY ACCOUNT OF THE TRANSPORTATION INFRASTRUCTURE BANK INSTEAD OF THE DEPARTMENT OF TRANSPORTATION.

S. 155 -- Senators Campsen, Rose, Hayes and Lourie: A BILL TO AMEND CHAPTER 7, TITLE 20 OF THE 1976 CODE BY ADDING ARTICLE 33 TO ENACT THE "MILITARY PARENT EQUAL PROTECTION ACT", TO PROVIDE THAT A MILITARY PARENT'S MILITARY SERVICE SHALL NOT BE CONSIDERED A CHANGE IN CIRCUMSTANCE FOR PURPOSES OF CHILD CUSTODY AND VISITATION, TO PROVIDE THAT THE CUSTODIAL NON-MILITARY PARENT MUST REASONABLY ACCOMMODATE THE MILITARY PARENT'S LEAVE SCHEDULE, TO PROVIDE THAT THE FAMILY COURT MAY HOLD AN EXPEDITED TEMPORARY HEARING TO ENSURE THAT THE MILITARY PARENT HAS ACCESS TO A MINOR CHILD, AND TO PROVIDE THAT ANY INCREASE OR DECREASE IN EARNING CAPACITY DUE TO MILITARY SERVICE IS NOT CONSIDERED A PERMANENT CHANGE; AND TO AMEND CHAPTER 1, TITLE 15, BY ADDING SECTION 15-1-340, TO PROVIDE THAT A SERVICE MEMBER ENTITLED TO A STAY PURSUANT TO THE SERVICE MEMBERS CIVIL RELIEF ACT MAY SEEK RELIEF AND PROVIDE TESTIMONY BY ELECTRONIC MEANS UNDER CERTAIN CONDITIONS.

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S. 198 -- Senators McConnell and Ford: A BILL TO AMEND SECTION 39-5-37, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF A NAME TO MISREPRESENT THE GEOGRAPHICAL LOCATION OF A BUSINESS AS AN UNLAWFUL TRADE PRACTICE, SO AS TO MAKE IT AN UNLAWFUL TRADE PRACTICE TO PUBLISH IN A TELEPHONE ASSISTANCE DATABASE OR A PRINT ADVERTISEMENT AN INTENTIONALLY MISLEADING REPRESENTATION OF THE GEOGRAPHICAL LOCATION OF THE BUSINESS.

SECOND READING BILL

The following Bill, having been read the second time, was ordered placed on the Third Reading Calendar:

H. 3108 -- Rep. Hosey: A BILL TO AMEND ACT 201 OF 1993, RELATING TO PAYMENT FOR SERVICES RENDERED BY MEMBERS OF THE WILLISTON SCHOOL DISTRICT 29 BOARD OF TRUSTEES IN BARNWELL COUNTY, SO AS TO DELETE THE PROVISION THAT NO MORE THAN TWELVE SPECIAL MEETINGS MAY BE HELD IN ONE CALENDAR YEAR.

AMENDED, READ THE SECOND TIME

S. 126 -- Senators Sheheen and Elliott: A BILL TO AMEND SECTION 56-3-1910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF SPECIAL LICENSE TAGS TO CERTAIN HANDICAPPED PERSONS, SO AS TO DEFINE THE TERM "HANDICAPPED", DELETE THE TERM "LICENSE TAG" AND REPLACE IT WITH THE TERM "LICENSE PLATE", AND TO REVISE THE CRITERIA FOR THE ISSUANCE OF THE LICENSE PLATE; TO AMEND SECTION 56-3-1950, RELATING TO THE DEFINITION OF THE TERM "HANDICAPPED", AND THE REQUIREMENT THAT A LICENSED PHYSICIAN SHALL CERTIFY THAT A PERSON'S TOTAL AND PERMANENT DISABILITY SUBSTANTIALLY IMPAIRS HIS ABILITY TO WALK, SO AS TO REVISE THE DEFINITION OF THE TERM "HANDICAPPED" AND TO DELETE THE PROVISION RELATING TO THE CERTIFICATION OF A PERSON WHO IS TOTALLY AND PERMANENTLY DISABLED; TO AMEND SECTION 56-3-1960, RELATING TO FREE PARKING FOR HANDICAPPED PERSONS, AND THE ISSUANCE AND

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DISPLAY OF HANDICAPPED LICENSE PLATES AND PLACARDS, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR THE ISSUANCE OF HANDICAPPED LICENSE PLATES, AND TO REVISE THE PROVISIONS REGARDING THE CONTENT, ISSUANCE PROCEDURE, AND DISPLAY OF HANDICAPPED PLACARDS; TO AMEND SECTION 56-3-1965, RELATING TO MUNICIPALITIES DESIGNATING PARKING SPACES FOR HANDICAPPED PERSONS, SO AS TO REVISE THE PROCEDURES THAT ALLOW A HANDICAPPED PERSON TO PARK IN METERED OR TIMED PARKING PLACES WITHOUT BEING SUBJECT TO PARKING FEES OR FINES; AND TO AMEND SECTION 56-3-2010, RELATING TO THE ISSUANCE OF PERSONALIZED LICENSE PLATES, SO AS TO PROVIDE THAT A PERSON WHO ALSO QUALIFIES IS QUALIFIED TO RECEIVE THIS LICENSE PLATE AND A HANDICAPPED LICENSE PLATE MAY BE ISSUED A PERSONALIZED LICENSE PLATE THAT INCLUDES A DECAL THAT CONTAINS THE INTERNATIONAL SYMBOL OF ACCESS.

The Senate proceeded to a consideration of the amendment, the question being the second reading of the Bill.

Senator SHEHEEN proposed the following amendment (126R003.VAS), which was adopted:

Amend the bill as and if amended, on Page 2, by striking lines 38-43 and inserting:

/ (B) Upon payment of the regular motor vehicle license fee, the department may issue a license tag plate with a special number or identification indicating that the tag license plate was issued to a person (a) disabled by an impairment in the use of one or more limbs and required to use a wheelchair or (b) disabled by an impairment in mobility, but /

Amend the bill further, as and if amended, on Page 4, by striking line 2 and inserting:

/ facility.

(H) When processing applications for special license plates pursuant to this section, the department will also issue a license plate registration certificate that must be carried at all times in the vehicle driven by or transporting the disabled individual. The certificate will display the name of the individual or organization to which the plate was issued. Vehicles displaying a special handicapped license plate can only park

in designated handicapped parking spaces if that vehicle is driven by or transporting the disabled individual whose name appears on the license plate registration certificate, or if the certificate lists the name of the agency, organization, or facility authorized under subsection (G). The driver of the vehicle displaying the plate must present the registration when requested by law enforcement entities or their duly authorized agents.

(I) A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than five hundred dollars nor more than one thousand dollars or imprisoned for not more than thirty days for each offense.” /

Amend the bill further, as and if amended, on Page 6, by striking lines 22 and 23 and inserting:

/ issued a placard registration certificate that must be carried at all times in the vehicle driven by or transporting the handicapped individual. The certificate will display the name of the individual to which the placard was issued. A placard can only be displayed on a vehicle driven by or transporting the disabled individual whose name appears on the placard registration certificate. /

Amend the bill further, as and if amended, on page 6, by striking line 34 and inserting:

/ agency, organization, or facility. At the time of qualification, applicants qualifying for a placard under this section also must be issued a placard registration certificate that must be carried at all times in the vehicle transporting handicapped or disabled individuals. The certificate will display the name of the agency, organization, or facility to which the placard was issued. /

Amend the bill further, as and if amended, on Page 7, by striking lines 12-20 and inserting:

/ (G) Placards used for parking in designated handicapped spaces must be displayed on vehicles driven by or transporting the disabled individual whose name appears on the placard registration certificate. When qualified users park in designated spaces, the driver of the vehicle displaying the placard must present the placard registration certificate when requested by law enforcement entities or their duly authorized agents.

(H) Placards and placard registration certificates for permanently disabled persons may be issued and renewed for a maximum period of four years and are renewable on the owner's birth date. Placards issued to an agency, organization, or facility must be renewed every four

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years. The department may charge a fee of five dollars for an identification card. /

Amend the bill further, as and if amended, on Page 7 by striking line 36 and inserting:

/ charge.

(L) A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than five hundred dollars nor more than one thousand dollars or imprisoned for not more than thirty days for each offense.” /

Amend the bill further, as and if amended, on Page 7 by striking line 43 and on Page 8 by striking lines 1 - 8 and inserting:

/ spaces reserved for the parking of handicapped persons. A person who is handicapped as defined in this article must be allowed to park in metered or timed parking places without being subject to parking fees or fines. This section does not apply to areas or during times in which the stopping, parking, or standing of all vehicles is prohibited or to areas which are reserved for special types of vehicles. A vehicle must display a distinguishing license plate which must be issued by the department, pursuant to Section 56-3-1910, or Section 56-3-1110, or a distinguishing placard which must be issued by the department, pursuant to Section 56-3-1960 when parked in metered or timed parking places.” /

Amend the bill further, as and if amended, by adding a new SECTION to read:

/ SECTION 6. Section 56-3-1970 of the 1976 Code is amended to read:

“Section 56-3-1970. (A) It is unlawful to park any vehicle in a parking place clearly designated for handicapped persons unless the vehicle bears the distinguishing license plate or placard provided in Section 56-3-1960.

(B) It is unlawful for any person who is not handicapped or who is not transporting a handicapped person to exercise the parking privileges granted handicapped persons pursuant to Section 56-3-1960.

(C) A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one five hundred dollars nor more than two hundred one thousand dollars or imprisoned for not more than thirty days for each offense.” /

Amend the bill further, as and if amended, by striking SECTION 6 in its entirety and inserting:

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/ SECTION 7. This act takes effect nine months after the approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

The amendment was adopted.

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

Recorded Vote

Senator RYBERG and BRYANT desired to be recorded as voting in favor of the second reading of the Bill.

AMENDED, READ THE SECOND TIME

S. 278 -- Senator Alexander: A JOINT RESOLUTION TO ALLOW THE GOVERNING BODY OF A COUNTY BY RESOLUTION ADOPTED BY MAJORITY VOTE TO ALLOW COUNTY OFFICIALS CHARGED WITH COLLECTING TAXES ON REAL PROPERTY FOR PROPERTY TAX YEARS 2008 AND 2009 TO WAIVE OR REDUCE THE PENALTIES FOR LATE PAYMENTS, AND TO PROVIDE THAT THE RESOLUTION MUST PROVIDE THE TERMS AND CONDITIONS UNDER WHICH THE WAIVER OR REDUCTION APPLIES.

The Senate proceeded to a consideration of the Joint Resolution, the question being the second reading of the Joint Resolution.

Senator ALEXANDER proposed the following amendment (278FIN004), which was adopted:

Amend the joint resolution as and if amended, page 1, by striking line 34 and inserting:

/ conditions under which the penalties may be waived or reduced. However, a county may only waive or reduce the late payment penalties if the county does so uniformly, irrespective of the class of real property. /

Renumber sections to conform.

Amend title to conform.

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Senator HAYES explained the amendment.

The amendment was adopted.

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

Recorded Vote

Senators RYBERG and BRYANT desired to be recorded as voting in favor of the second reading of the Bill.

CARRIED OVER

S. 132 -- Senators Sheheen and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-5-175 SO AS TO PROVIDE THAT A LENDER WHO DELIVERS AN UNSOLICITED CHECK TO A PERSON MUST DISCLOSE THAT THE CHECK SECURES A LOAN, THE TERMS OF THE LOAN, AND NOTICE THAT BY NEGOTIATING THE CHECK THE RECIPIENT HAS ENTERED INTO A LOAN AGREEMENT, TO PROVIDE PROTECTION AND RECOURSE FOR INTENDED PAYEES IF AN UNSOLICITED CHECK IS CASHED FRAUDULENTLY, AND TO PROVIDE THAT A VIOLATION OF THIS SECTION IS AN UNFAIR TRADE PRACTICE AND SUBJECT TO APPROPRIATE PENALTIES AND ENFORCEMENT.

On motion of Senator SHEHEEN, the Bill was carried over.

AMENDED, CARRIED OVER

S. 184 -- Senators McConnell and Ford: A BILL TO AMEND SECTION 40-27-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERSON WHO BUYS JUNK, SO AS TO REQUIRE A PERSON WHO BUYS JUNK THAT CONSISTS OF TWENTY-FIVE POUNDS OF SCRAP METAL OR VEHICLE PARTS TO KEEP WITH THE RECORD OF PURCHASE A PHOTOCOPY OF THE SELLER'S DRIVER'S LICENSE OR OTHER GOVERNMENT ISSUED PICTURE IDENTIFICATION CARD THAT SHOWS THE SELLER'S NAME AND ADDRESS; TO AMEND SECTION 40-27-40, RELATING TO PENALTIES FOR VIOLATING PROVISIONS OF THE JUNK DEALER ARTICLE, SO AS TO INCREASE THE FINE FROM A MAXIMUM OF ONE

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HUNDRED DOLLARS TO FIVE HUNDRED DOLLARS AND TO ESTABLISH THAT EACH VIOLATION CONSTITUTES A SEPARATE OFFENSE; TO AMEND SECTION 56-5-5670, RELATING TO A DEMOLISHER PURCHASING OR ACQUIRING A VEHICLE TO DEMOLISH, SO AS TO REQUIRE A DEMOLISHER THAT ACQUIRES A VEHICLE OR VEHICLE PARTS WITH A TOTAL WEIGHT OF TWENTY-FIVE POUNDS OR MORE TO KEEP A PHOTOCOPY OF THE SELLER'S DRIVER'S LICENSE OR OTHER GOVERNMENT ISSUED PICTURE IDENTIFICATION CARD THAT SHOWS THE SELLER'S NAME AND ADDRESS AND TO ESTABLISH THAT A VIOLATION OF THOSE PROVISIONS IS A MISDEMEANOR WITH A FINE NO MORE THAN FIVE HUNDRED DOLLARS FOR EACH OFFENSE OR NOT EXCEEDING FIVE THOUSAND DOLLARS FOR THE SAME SET OF TRANSACTIONS OR IMPRISONED FOR NO MORE THAN SIXTY DAYS, WITH EACH VIOLATION CONSTITUTING A SEPARATE OFFENSE; AND TO AMEND SECTION 56-5-5945, RELATING TO A DEMOLISHER OBTAINING A VEHICLE TITLE, SO AS TO REQUIRE A DEMOLISHER WHO PURCHASES OR ACQUIRES A VEHICLE OR VEHICLE PART WITH A TOTAL WEIGHT OF TWENTY-FIVE OR MORE POUNDS TO KEEP A PHOTOCOPY OF THE SELLER'S DRIVER'S LICENSE OR OTHER GOVERNMENT PICTURE IDENTIFICATION CARD THAT SHOWS THE PERSON'S NAME AND ADDRESS AND THE YEAR, MAKE, MODEL, AND IDENTIFICATION NUMBER OF THE VEHICLE, IF AVAILABLE, ALONG WITH ANY OTHER IDENTIFYING FEATURES, AND TO PROVIDE A VIOLATION CONSTITUTES A MISDEMEANOR WITH A FINE NO MORE THAN FIVE HUNDRED DOLLARS FOR EACH OFFENSE OR NO MORE THAN FIVE THOUSAND DOLLARS FOR THE SAME SET OF TRANSACTIONS OR IMPRISONED FOR NO MORE THAN SIXTY DAYS, OR BOTH, AND TO ESTABLISH THAT EACH VIOLATION CONSTITUTES A SEPARATE OFFENSE.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator SCOTT proposed the following amendment (JUD0184.004), which was adopted:

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Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 40-27-10 of the 1976 Code of Laws is amended to read:

“Any person buying junk shall keep a book ~~which~~ that he shall keep open to the inspection of all persons, wherein he shall set down the name and address, city and street, of every person selling junk and an itemized statement of all junk bought from such person and the date of purchase. Any person buying junk that consists of a catalytic converter or twenty-five pounds or more of scrap metal or vehicle parts, other than nonferrous metals, as defined by Section 16-17-680, shall keep with the record of purchase a photocopy of the seller’s driver’s license or other government issued picture identification card that shows the seller’s name and address. Any person buying junk that consists of nonferrous metals is subject to the provisions of Section 16-17-680.”

SECTION 2. Section 40-27-30 of the 1976 Code is repealed.

SECTION 3. Section 40-27-40 of the 1976 Code of Laws is amended to read:

“Any person violating any of the provisions of this article shall be fined ~~in~~ a sum not exceeding ~~one~~ five hundred dollars or imprisoned not exceeding thirty days. Each violation constitutes a separate offense.”

SECTION 4. Section 56-5-5670 of the 1976 Code of Laws is amended to read:

“(A) A demolisher who purchases or otherwise acquires a vehicle for purposes of wrecking, dismantling, or demolishing is not required to obtain a certificate of title for the vehicle in his own name. After the vehicle has been demolished, processed, or changed so that it physically is no longer a vehicle, the demolisher must surrender for cancellation the certificate of title, auction sales receipt, or disposal authority certificate. The Department of Motor Vehicles must issue forms, rules, and regulations governing the surrender of auction sales receipts, disposal authority certificates, and certificates of title as appropriate.

(B) A demolisher must keep an accurate and complete record of all abandoned vehicles, catalytic converters, and vehicle parts with a total weight of twenty-five pounds or more purchased or received by him in the course of his business. These records must contain the name and address of the person from whom ~~each~~ the vehicle, catalytic converter, or vehicle parts ~~was~~ were purchased or received, a photocopy of the

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person's driver's license or other government issued picture identification card that shows the person's name and address, the date when the purchases or receipts occurred, and the year, make, model, and identification number of the vehicle, catalytic converter, or vehicle parts, if ascertainable, along with any other identifying features. The records are open for inspection by any police officer at any time during normal business hours. Any record required by this section must be kept by the demolisher for at least one year after the transaction to which it applies.

(C) A person who violates the provisions of this section is guilty of a misdemeanor, and, upon conviction, must be fined no more than five hundred dollars for each offense not to exceed five thousand dollars for the same set of transactions or occurrences, or imprisoned for no more than sixty days, or both. Each violation constitutes a separate offense."

SECTION 5. Section 56-5-5945 of the 1976 Code of Laws is amended to read:

“(a) Any demolisher who purchases or otherwise acquires a vehicle for purposes of wrecking, dismantling, or demolition shall not be required to obtain a certificate of title for such vehicle in his own name. After the vehicle has been demolished, processed, or changed so that it physically is no longer a vehicle, the demolisher shall surrender for cancellation the certificate of title or sales receipt issued under Section 56-5-5850.

(b) A demolisher shall keep an accurate and complete record of all vehicles, catalytic converters, and vehicle parts with a total weight of twenty-five pounds or more purchased or received by him in the course of his business. These records shall contain the name and address of the person from whom ~~each~~ the vehicle, catalytic converter, or vehicle parts was were purchased or received, a photocopy of the person's driver's license or other government issued picture identification card that shows the person's name and address, and the date when such purchases or receipts occurred, and the year, make, model, and identification number of the vehicle, catalytic converter, or vehicle parts, if ascertainable, along with any other identifying features. The records shall be open for inspection by any law enforcement officer at any time during normal business hours. Any record required by this section shall be kept by the demolisher for at least one year after the transaction to which it applies.

(c) A person who violates the provisions of this section is guilty of a misdemeanor, and, upon conviction, must be fined no more than

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five hundred dollars for each offense not to exceed five thousand dollars for the same set of transactions or occurrences, or imprisoned for no more than sixty days, or both. Each violation constitutes a separate offense.”

SECTION 6. This act takes effect upon approval by the Governor./
Renumber sections to conform.
Amend title to conform.

Senator SCOTT explained the amendment.

The amendment was adopted.

On motion of Senator RYBERG, the Bill was carried over as amended.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

On motion of Senator L. MARTIN, the Senate agreed to dispense with the Motion Period.

CONCURRENCE

S. 235 -- Senator Rose: A BILL TO AUTHORIZE THE BOARD OF TRUSTEES FOR DORCHESTER SCHOOL DISTRICT NO. 2 TO IMPOSE AN IMPACT FEE ON ANY DEVELOPER FOR EACH NEW RESIDENTIAL DWELLING UNIT CONSTRUCTED BY THE DEVELOPER WITHIN THE SCHOOL DISTRICT, TO PROVIDE THAT THE FUNDS MAY ONLY BE USED FOR THE CONSTRUCTION OF PUBLIC EDUCATION FACILITIES FOR GRADES K-12 WITHIN THE DISTRICT AND FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON EXISTING OR NEW BONDS ISSUED BY THE DISTRICT, AND TO PROVIDE THAT THE IMPACT FEE SHALL BE SET AT AN AMOUNT NOT TO EXCEED THE COST THAT EACH ADDITIONAL DWELLING UNIT IMPOSES ON THE SCHOOL DISTRICT FOR PUBLIC EDUCATION FACILITIES.

The House returned the Bill with amendments.

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On motion of Senator ROSE, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

CARRIED OVER

S. 1 -- Senators McConnell, Peeler, Leatherman, Sheheen, Rose, Courson, Elliott, Massey, Hayes, Davis, Bright, Campsen, Campbell, L. Martin, Knotts, Alexander and S. Martin: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE X OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE REQUIREMENT FOR THE STATE AND ITS POLITICAL SUBDIVISIONS TO HAVE BUDGET PROCESSES DESIGNED TO KEEP REVENUES AND EXPENDITURES IN BALANCE, THE LIMITATION ON STATE APPROPRIATIONS, AND THE LIMITATIONS ON STATE EMPLOYEES, SO AS TO DELETE THE EXISTING STATE SPENDING LIMITATION AND REQUIRE THE GENERAL ASSEMBLY TO REPLACE IT BY A LAW IMPOSING AN ANNUAL LIMIT ON THE APPROPRIATION OF STATE GENERAL FUND REVENUES BY ADJUSTING SUCH REVENUES BY A ROLLING TEN-YEAR AVERAGE IN ANNUAL CHANGES IN GENERAL FUND REVENUES; TO ALLOW THE CREATION OF A BUDGET STABILIZATION FUND IN THE STATE TREASURY TO WHICH MUST BE CREDITED ALL GENERAL FUND REVENUES IN EXCESS OF THE ANNUAL LIMIT; AND TO PROVIDE BY GENERAL LAW FOR THE APPROPRIATIONS TO WHICH THE LIMIT APPLIES, THE METHOD OF AND SOURCES FOR CALCULATING THE LIMIT; AND TO PROVIDE FOR THE DISBURSEMENTS FROM THE BUDGET STABILIZATION FUND.

The Senate proceeded to a consideration of the Joint Resolution, the question being the second reading of the Joint Resolution.

On motion of Senator GROOMS, the Joint Resolution was carried over.

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CARRIED OVER

S. 103 -- Senators Grooms, Campsen and Campbell: A BILL TO AMEND SECTION 57-5-10 OF THE 1976 CODE, RELATING TO THE GENERAL COMPOSITION OF THE STATE HIGHWAY SYSTEM, TO PROVIDE THAT ALL HIGHWAYS IN THE STATE HIGHWAY SYSTEM MUST BE BUILT ACCORDING TO STATE STANDARDS; TO AMEND SECTION 57-5-70, RELATING TO ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ADD COUNTY AND MUNICIPAL ROADS TO THE STATE HIGHWAY SYSTEM WHEN NECESSARY FOR THE INTERCONNECTIVITY OF THE STATE HIGHWAY SYSTEM; TO AMEND SECTION 57-5-80, RELATING TO THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, TO PROVIDE FOR THE REMOVAL OF ROADS FROM THE STATE HIGHWAY SYSTEM WHEN A COUNTY, MUNICIPALITY, SCHOOL, OR OTHER GOVERNMENTAL AGENCY AGREES TO ACCEPT THE ROAD INTO ITS OWN HIGHWAY SYSTEM; AND TO REPEAL SECTION 57-5-90, RELATING TO BELT LINES AND SPURS.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

On motion of Senator GROOMS, the Bill was carried over.

CARRIED OVER

S. 146 -- Senators Campsen, Rose and Ford: A BILL TO AMEND THE 1976 CODE BY ADDING SECTION 20-3-240 TO ENACT THE "FAMILY COURT FINANCIAL PRIVACY ACT" TO PROVIDE THAT A FINANCIAL DECLARATION MADE A PART OF THE RECORD IN A MATTER BEFORE THE FAMILY COURT MUST BE SEALED, TO PROVIDE ACCESS TO A FINANCIAL DECLARATION UPON REQUEST ONLY BY THE PARTIES, THE COURT AND PERSONNEL OF THE COURT, AND THE CHILD SUPPORT ENFORCEMENT DIVISION OF THE DEPARTMENT OF SOCIAL SERVICES, AND TO PROHIBIT OTHER ACCESS EXCEPT UPON ORDER OF THE COURT FOR GOOD CAUSE SHOWN; AND TO AMEND SECTION 30-4-40, RELATING TO EXEMPTIONS FROM THE FREEDOM OF INFORMATION ACT, TO EXEMPT FINANCIAL DECLARATIONS IN MATTERS

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BEFORE THE FAMILY COURT EXCEPT ON ORDER OF THE COURT FOR GOOD CAUSE SHOWN.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

On motion of Senator GROOMS, the Bill was carried over.

CARRIED OVER

S. 156 -- Senators Campsen, Rose, Elliott, Davis, Bright, Ford, Knotts and S. Martin: A BILL TO AMEND THE 1976 CODE TO ENACT THE "JUDICIAL ELECTIONS REFORM ACT" BY AMENDING SECTION 2-19-70, RELATING TO PLEDGING, TO PROHIBIT A PERSON OR JUDICIAL CANDIDATE FROM DIRECTLY OR INDIRECTLY SEEKING THE PLEDGE OF A MEMBER OF THE GENERAL ASSEMBLY REGARDING SCREENING FOR ANY JUDICIAL OFFICE UNTIL THE QUALIFICATIONS OF ALL THE CANDIDATES HAVE BEEN DETERMINED BY THE JUDICIAL MERIT SELECTION COMMISSION AND THE COMMISSION HAS FORMALLY RELEASED ITS REPORT.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

On motion of Senator GROOMS, the Bill was carried over.

CARRIED OVER

S. 191 -- Senators McConnell, Malloy, Campsen, Sheheen, Ford, Rose, Campbell and Knotts: A BILL TO ENACT THE SOUTH CAROLINA REDUCTION OF RECIDIVISM ACT OF 2009, TO PROVIDE LAW ENFORCEMENT OFFICERS WITH ADDITIONAL AUTHORITY REDUCE RECIDIVISM RATES, APPREHEND CRIMINAL AND PROTECT POTENTIAL VICTIMS FROM CRIMINAL ENTERPRISES; TO PROVIDE THAT YOUTHFUL OFFENDERS AND OTHER INMATES MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE AS A CONDITION OF RELEASE, SUPERVISED FURLOUGH, OR PAROLE.

(ABBREVIATED TITLE)

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The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

On motion of Senator GROOMS, the Bill was carried over.

CARRIED OVER

S. 12 -- Senators Leatherman, Alexander, O'Dell, Cleary, Leventis, Elliott, Lourie and Malloy: A BILL TO ESTABLISH THE SOUTH CAROLINA TAXATION REALIGNMENT COMMISSION, TO PROVIDE FOR THE COMMISSION'S MEMBERSHIP, POWERS, DUTIES, AND RESPONSIBILITIES, TO PROVIDE THAT THE COMMISSION MUST CONDUCT A COMPREHENSIVE STUDY OF THE STATE'S TAX SYSTEM AND SUBMIT A REPORT OF ITS RECOMMENDED CHANGES TO FURTHER THE GOAL OF MAINTAINING AND ENHANCING THE STATE AS AN OPTIMUM COMPETITOR IN THE EFFORT TO ATTRACT BUSINESSES AND INDIVIDUALS TO LOCATE, LIVE, WORK, AND INVEST IN THE STATE, AND TO PROVIDE FOR PROCEDURES GOVERNING THE CONSIDERATION OF LEGISLATION RESULTING FROM THE COMMISSION'S RECOMMENDATIONS.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

On motion of Senator LEATHERMAN, the Bill was carried over, not to be taken up for consideration before Thursday, February 19, 2009.

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CARRIED OVER

S. 245 -- Senators McConnell and Ford: A BILL TO AMEND SECTION 63-3-530 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS ADDED BY ACT 361 OF 2008, RELATING TO CHILD SUPPORT PAYMENTS, TO PERMIT A FAMILY COURT JUDGE TO MAKE AN ORDER FOR CHILD SUPPORT RUN PAST THE AGE OF EIGHTEEN IF THE CHILD IS ENROLLED AND STILL ATTENDING HIGH SCHOOL, NOT TO EXCEED HIGH SCHOOL GRADUATION OR THE END OF THE SCHOOL YEAR AFTER THE CHILD REACHES NINETEEN YEARS OF AGE, WHICHEVER OCCURS FIRST.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

On motion of Senator GROOMS, the Bill was carried over.

DEBATE INTERRUPTED

S. 351 -- Senators Grooms, McConnell and Ford: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 54 OF THE 1976 CODE, RELATING TO THE CREATION AND ORGANIZATION OF THE SOUTH CAROLINA STATE PORTS AUTHORITY, TO CLARIFY THAT THE POWERS AND DUTIES OF THE AUTHORITY ARE EXERCISED BY A BOARD OF DIRECTORS, TO PROVIDE THAT CANDIDATES FOR APPOINTMENT MUST POSSESS CERTAIN QUALIFICATIONS, TO PROVIDE THAT CANDIDATES MUST BE SCREENED TO DETERMINE WHETHER THEY POSSESS THE REQUIRED QUALIFICATIONS BEFORE THEY MAY SERVE ON THE BOARD, TO PROVIDE THAT MEMBERS OF THE BOARD MAY BE REMOVED FROM OFFICE ONLY FOR CAUSE, TO PROVIDE THAT THE BOARD MUST PERFORM AN ANNUAL PERFORMANCE REVIEW OF THE EXECUTIVE DIRECTOR, TO ESTABLISH THAT DIRECTORS HAVE A DUTY OF GOOD FAITH AND ORDINARY CARE WHEN DISCHARGING THEIR DUTIES AS A DIRECTOR, TO PROHIBIT CONFLICT OF INTEREST TRANSACTIONS, TO ESTABLISH A SOUTH CAROLINA STATE PORTS ADVISORY BOARD, AND SET THE MEMBERSHIP, DUTIES, AND RESPONSIBILITIES OF THE ADVISORY BOARD; TO AMEND CHAPTER 3, TITLE 54, BY ADDING ARTICLE 2, RELATING TO PORTS AUTHORITY MANAGEMENT, TO PROVIDE THAT THE BOARD OF

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DIRECTORS MUST HIRE AN EXECUTIVE DIRECTOR OF PORT OPERATIONS AND TO ESTABLISH THE DIRECTOR'S DUTY TO OPERATE THE PORTS IN A MANNER CONSISTENT WITH THE MISSION, POLICIES, AND DIRECTION OF THE BOARD; TO AMEND SECTION 54-3-140(5), TO PROVIDE THAT THE BOARD OF DIRECTORS MUST ADOPT AN ORGANIZATIONAL STRUCTURE FOR AUTHORITY OPERATIONS; TO AMEND SECTION 54-3-140, RELATING TO THE POWERS OF THE PORTS AUTHORITY, BY ADDING TWO NEW ITEMS THAT REQUIRE A LONG-RANGE PORT DEVELOPMENT AND CAPITAL FINANCING PLAN AND TO PROVIDE THAT THE AUTHORITY MUST CONSIDER PUBLIC-PRIVATE PARTNERSHIPS FOR CURRENT AND FUTURE OPERATIONS; TO AMEND SECTION 54-3-1040, RELATING TO THE ANNUAL FINANCIAL STATEMENT, AND TO PROVIDE THAT COPIES OF THE STATEMENT MUST BE FORWARDED TO THE ADVISORY COMMITTEE AND THE GENERAL ASSEMBLY; TO AMEND ARTICLE 11, CHAPTER 3, TITLE 54, RELATING TO FINANCIAL MATTERS, BY ADDING SECTION 54-3-1060, TO PROVIDE THAT THE AUTHORITY MUST MAINTAIN A TRANSACTION REGISTER OF ALL FUNDS EXPENDED OVER ONE HUNDRED DOLLARS AND MUST MAINTAIN ON ITS INTERNET WEBSITE A COPY OF EACH MONTHLY CREDIT CARD STATEMENT FOR ALL CREDIT CARDS MAINTAINED BY THE AUTHORITY; AND TO AMEND CHAPTER 3, TITLE 54, BY ADDING ARTICLE 13, RELATING TO LEGISLATIVE OVERSIGHT, TO REQUIRE REGULAR OVERSIGHT REVIEW OF THE AUTHORITY AND THE EXECUTIVE DIRECTOR.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Transportation.

Senator GROOMS was recognized to speak on the Bill.

On motion of Senator McCONNELL, debate was interrupted by adjournment.

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LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Charleston County Magistrate, with the term to commence April 30, 2007, and to expire April 30, 2011

Sheryl Mitchell Perry, 5711 Dixie Plantation, Hollywood, SC 29449
VICE Patricia Dixon

ADJOURNMENT

At 5:21 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 11:00 A.M.

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